REMARKS

The present response is to the Office Action mailed in the above-referenced case on June 22, 2007. Claims 1-19 are standing for examination. Claims 5 and 10 stand rejected under 35 U.S.C. 112, second paragraph. In response the applicant has amended claims 5 and 10 to correct the antecedent basis problems.

Further to the above, claims 1, 3, 4, 6-8, 10-13 and 15-19 stand rejected under 35 U.S.C. §102(e) as anticipated by Dickie, US Pub. 2003/0041206, hereinafter Dickie. Further, claims 2, 9 and 14 stand rejected under 35 U.S.C. § 103(a) over Dickie in view of Zehner, US Pub 2003/0011868, hereinafter Zehner. In addition claim 5 stands rejected under 35 U.S.C. § 103(a) over Dickie in view of Chestnut, US Pub 2003/0195904, hereinafter Chestnut.

The applicant has carefully reviewed the rejections, the references, and the examiner's reasoning, and has concluded that the rejections do not strictly apply to the actual limitations in the claims, and the rejections do not therefore rise to the standard of Prima Facie rejections. Nevertheless the applicant has decided to amend the claims to more particularly point out and distinctly claim the subject matter sought to be patented.

Consider, for example, claim 1 reprinted here with current amendments:

1. (Currently amended) A system for programming a programmable device having an interface for a portable memory medium, comprising:

an interactive interface presented on a display of a stand-alone computer appliance, comprising selectable mechanisms enabling a user to create and save a program for operating the programmable device;

a portable memory medium; and

a downloading mechanism transferring the created program to the portable memory medium.

Dickie teaches a computer with a docking bay for a PDA, wherein data entered in one will synchronize with the other. There is no teaching in Dickie of an interactive interface with selectable mechanisms enabling a user to create and save a program for operating a third device. This is a clearly stated limitation in the claim, and is not met by the teaching of Dickie. The PDA in Dickie is not a portable memory medium, as claimed, but a portable computing appliance which needs a memory to operate. Claim 1 is therefore clearly patentable over the teaching of Dickie, and claims 2-10 are patentable at least as depended from a patentable claim.

Claim 11: Again the PDA is not a portable memory device as claimed, but a computing appliance, and Dickie does not teach logic for reading a program from a portable memory device engaged at the port and for transferring that program to an internal memory for execution. So claim 11 is patentable, and claims 12-14 are patentable at least as depended from a patentable claim.

Claim 15 recites a method wherein a program is created on a computer through an interactive display, the program is saved to a portable memory medium, and the portable medium is then used to move the program to the programmable device, which has only the input port to receive programming. Again, there are three components here (1) the computer where the program is created, (2) the portable medium to which the program is downloaded, and (3) the programmable device which has a port for receiving the portable medium. Dickie's two components cannot be stretched to three. So claim 15 is patentable over Dickie as well, and claims 16-19 are patentable at least as depended from a patentable claim.

These claims are clearly allowable over the art applied, and the applicant therefore respectfully requested that the claims be allowed and that this case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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